

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on November 4, 2014.

Mayor Gover presided and called the meeting to order at 6:30 p.m.

Mayor Gover led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Dave Cox, YEA Commissioner Sandra Graven, YEA Commissioner Rick Hall, YEA Commissioner Preston Owen, and YEA Mayor Tim Gover.

Also physically present were City personnel: City Administrator Kyle Gill, City Attorney Janett Winter-Black, Finance Director/Treasurer Beth Wright, Public Works Director Dean Barber, Fire Chief Tony Nichols, Police Chief Jeff Branson, Arts and Tourism Director Angelia Burgett, and City Clerk Susan O'Brien.

CONSENT AGENDA

Mayor Gover seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the regular meeting October 21, 2014; Fire Department reports for the months of August and September, 2014; bills and payroll for the last half of October, 2014.

Bills and Payroll for the first half of November, 2014

<u>General Fund</u>			
Payroll		\$	248,937.70
Bills		\$	<u>64,855.34</u>
	Total	\$	313,793.04
<u>Arts Council Fund</u>			
Bills		\$	<u>1,680.00</u>
	Total	\$	1,680.00
<u>Hotel Tax Administration</u>			
Payroll		\$	1,865.24
Bills		\$	<u>487.17</u>
	Total	\$	2,352.41
<u>Festival Mgmt Fund</u>			
Bills		\$	<u>492.84</u>
	Total	\$	492.84
<u>Midtown TIF Fund</u>			
Bills		\$	<u>1,740.00</u>
	Total	\$	1,740.00
<u>Capital Project Fund</u>			
Bills		\$	<u>126,149.14</u>
	Total	\$	126,149.14
<u>South Rte 45 TIF</u>			
Bills		\$	<u>60,616.97</u>
		\$	60,616.97

<u>Water Fund</u>			
Payroll		\$	34,114.28
Bills		\$	<u>39,279.39</u>
	Total	\$	73,393.67
<u>Sewer Fund</u>			
Payroll		\$	32,992.49
Bills		\$	<u>39,873.92</u>
	Total	\$	72,866.41
<u>Heath Insurance Fund</u>			
Bills		\$	<u>198,857.80</u>
	Total	\$	198,857.80
<u>Motor Fuel Tax Fund</u>			
Bills		\$	<u>18,848.02</u>
	Total	\$	18,848.02

Mayor Gover opened the floor for comments/discussion which was followed by no response.

Mayor Gover declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

PRESENTATIONS, PETITIONS AND COMMUNICATIONS

Mayor Gover opened the floor for Public comments. Mrs. Mary Jo Eberspacher of 28 Elm Ridge addressed the Council with her and other residents' concerns regarding the resident at 321 Lafayette constructing a pole barn near the entrance of Elm Ridge Subdivision, they did not want the property used as commercial and requested the City send Mr. Miller a letter to remind him that the zoning is not commercial. Mrs. Carolyn Hayden of 49 Elm Ridge neighbor to 321 Lafayette addressed the Council by expressing her concerns of the construction of the pole barn. Mayor Gover noted Mr. Miller had been verbally notified of the zoning. Administrator Gill stated a letter would be sent to Mr. Miller and their concerns would be considered. Mayor Gover stated Mr. Miller had been contacted and would make sure the structure was not used commercially. Mrs. Jackie Record expressed her concerns as well.

Mr. John Dhermy wanted to address the Council with regard to his lawsuit with the City, but Mayor Gover stated the City could not hear his comments due to the lawsuit and the district court would make a determination.

NEW BUSINESS

Commissioner Hall seconded by Commissioner Owen moved to adopt Ordinance No. 2014-5371, amending Section 33.065 of the Code of Ordinances to update the rules and regulations of the Arts Council.

CITY OF MATTOON, ILLINOIS ORDINANCE NO. 2014-5371

AN ORDINANCE AMENDING THE MATTOON CODE OF ORDINANCES TO UPDATE RULES AND REGULATIONS FOR THE OPERATION OF THE MATTOON ARTS COUNCIL

WHEREAS, the City of Mattoon currently has ordinances that establish the rules and regulations for the Mattoon Arts Council; and

WHEREAS, the City wishes to update those rules and regulations for the Mattoon Arts Council.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mattoon as follows:

Section 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Amendments. Section 33.065 of Chapter 33 of the Code of Ordinances of the City of Mattoon is hereby repealed. Section 33.065 of Chapter 33 is hereby reenacted as follows:

§ 33.065 MATTOON ARTS COUNCIL REGULATIONS.

(A) Purpose.

(1) Vision. The Mattoon Arts Council envisions a vibrant, creative community where arts activities are frequent and evident, where members of the community have opportunities to experience and engage in the arts directly and where arts activities are appreciated as an asset for the community and economic development.

(2) Mission. The Mattoon Arts Council supports, develops, facilitates and promotes high-quality, affordable arts programs and activities for people of all ages.

(3) Values.

- (a) Our work must be done in collaboration with others to make the most of our assets as a small community.
- (b) We define Art to include the widest possible interpretation of the language, visual and performing arts.
- (c) The presence of Arts intrinsically enhances a community's quality of life.
- (d) We especially value, seek out and support events that offer opportunities to educate.
- (e) Engagement in artistic activities stimulates community creativity and attracts people to a community in ways that have long term social and economic benefits.

(B) Council Board of Directors.

(1) General Powers. The affairs of the Mattoon Arts Council shall be managed by its Board of Directors.

(2) Membership. Directors of the Mattoon Arts Council are appointed by the Mayor of Mattoon with confirmation by the City Council, from the nominations of the Mattoon Arts Council Board of Directors. The Board will consist of 11 voting members, a majority of whom shall be residents of the City of Mattoon. The City Administrator, the City Council member overseeing the Arts Council and the Tourism Director will serve as ex officio (non-voting) members of the board.

(3) Terms. Length of term is two (2) years. The terms of the board membership are staggered. Annual appointments by the Mattoon City Council take place in September. Directors are limited to three (3) full terms. Past board directors may be re-appointed to an additional term after being off the board for a minimum period of one (1) year. Term limits can be waived one time in a special circumstance by a 2/3 votes of the board of directors.

(4) Compensation. No director of the Mattoon Arts Council shall be compensated for the performance of services for the Council, but may, by resolution of the Council, be reimbursed for expenses incurred on behalf of the Council. No part of net earnings or other assets of the Council shall inure to the benefit of, or be distributable to its members, directors or any private persons.

(5) Responsibilities. Council Board directors are expected to be active in the management and activities of the Mattoon Arts Council. Council directors are expected to attend a minimum of 2/3 of all meetings, be

actively involved in at least one committee and publicly support the arts and the Arts Council.

- (6) **Resignation.** Any Council Board director may resign by submitting a letter of resignation to the Chairman.
- (7) **Removal.** A Director who misses fifty percent (50%) of the meetings or three (3) consecutive meetings during a one (1) year period may be removed from the Board by the Chairman.
- (8) **Vacancies.** For any vacancy on the Council Board, the Board Chairman will make the appointment, with approval by the board and the Mattoon City Council. A Director appointed to fill a vacancy shall serve for the unexpired term of his/her predecessor.
- (9) **Council Advisers.** The Chairman may invite members of the community to sit as council advisers, with the approval of the Council Board, on such terms as determined by the Council Board. Advisers will be welcomed to share knowledge and expertise that may assist Council Board in attaining the Mattoon Arts Council's objectives. There shall be no fixed term or maximum number of council advisers. Council advisors shall not have voting privileges at Board meetings but may make recommendations to the Council Board.

(C) Officers.

- (1) **Officers.** The officers of the Mattoon Arts Council shall be Chairman, Vice-Chairman, Secretary and Treasurer and other such officers as the board may direct. No two (2) offices may be held by the same person.
- (2) **Elections and Terms of Office.** The officers shall be elected annually in October. The officers shall hold an office for a two (2) year term. The board may grant up to two (2) one-year extensions to an officer's term. A director may return to an office after one (1) year.
- (3) **Removal.** An officer elected or appointed by the Board of Directors may be removed by a 2/3 vote of the members of the Board of Directors.
- (4) **Vacancies.** A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the Board of Directors for the unexpired portion of the term.
- (5) **Chairman.** The Chairman shall preside at all meetings of the Mattoon Arts Council and shall have general supervision over all business, affairs and activities of the Mattoon Arts Council. The Chairman shall appoint all standing committees.
- (6) **Vice Chairman.** The Vice Chairman shall preside in the absence of the Chairman.
- (7) **Secretary.** The Secretary shall be responsible for the usual duties including keeping minutes of all meetings, and other duties, from time to time, as assigned by the Chairman.
- (8) **Treasurer.** The Treasurer shall be responsible for the usual duties including maintaining all financial accounts and records and presenting a financial report at each Board Meeting, and other duties, from time to time, as assigned by the Chairman.

(D) Meetings.

- (1) **Regular meetings.** Meetings shall be held monthly. Time and location will be determined by the Council Board.
- (2) **Quorum.** A quorum shall consist of a simple majority of all appointed voting Arts Council directors.

Routine business shall be transacted by a simple majority vote. If a quorum is present, the affirmative vote of a majority of those present at the meeting shall be the act of the Mattoon Arts Council. Each director of the Mattoon Arts Council is entitled to cast one vote. There shall be no proxy voting. Whenever permissible, a Director may attend by telephone or web connection.

- (3) **Notice.** Notice of Board meetings shall be given at least five (5) days prior to the meeting. Each director shall receive notice by regular mail, phone or email. The notice shall include the date, time and place of the meeting.
- (4) **Special Meeting.** Special meetings of the directors may be called at any time by the Chairman, or by any three (3) directors. Notice of a special meeting of the Council Board shall be given five (5) days prior to the meeting.
- (5) **Rules of Order.** Current Robert's Rules of Order shall govern the Mattoon Arts Council when not inconsistent with the By-laws of the Mattoon Arts Council or any other special rules of order the Council may adopt.
- (6) **Fiscal Year.** The fiscal year shall begin on the first day of May and end on the last day of April.

(E) **Committees.** The Mattoon Arts Council shall have the following Committees and such other committees as the council deems appropriate. Each committee shall choose a chair and may appoint community advisers to assist with committee activities.

- (1) **Governance Committee.** Create and oversee structured mechanisms and tools that ensure competent management and high quality operations, guided by the objectives of our strategic plan.
- (2) **Program Committee.** Provide compelling and coherent programming, competently offered, that provides value to our community and makes optimal use of our resources, guided by the objectives of our strategic plan.
- (3) **Development Committee.** Provide or create increased fundraising efforts, for both the short term and long term financial operations of the Arts Council, guided by the objectives of our strategic plan.
- (4) **Nomination Committee.** Annually accept nominations and prepare a slate of officers for the Board of Directors. Develop policies and procedures that it deems necessary to ensure the successful succession of the council.

(F) **Records and Reports.**

- (1) **Records.** The Mattoon Arts Council shall maintain adequate and correct books, records and accounts of its operations. All such books, records and accounts shall be kept by the Secretary and/or Treasurer, and surrendered upon completion of their term of office. Accurate minutes shall be kept of the proceedings of the Board of Directors. A record of the names and addresses of each member of the Council shall be kept on file, and updated annually. Past records shall be kept permanently in files for future reference.
- (2) **Reports.** All books and accounts of the Mattoon Arts Council shall be open to inspection by the members of the Board of Directors and subject to public inspection under the Illinois Freedom of Information Act. All committees are expected to give monthly reports of their activities or non-active time. Any event needs to provide a written report to the secretary of details including income, expenses and attendance. The calendar year shall be used for annual reporting to The Mattoon City Council during the month of January.

(G) **Other.**

- (1) **Conflict of Interest.** No director of the Mattoon Arts Council shall use their position, or knowledge gained therefrom, in such a manner that a conflict between the organization and their personal interests arise. Each Council director has a duty to place the interest of the Mattoon Arts Council foremost in dealings with the organization. If any Council director has a personal interest in business or activity proposed, they are expected to fully disclose such interest. Any director aware of a potential conflict should not be present for any discussion or vote in connection with the matter. Official minutes will reflect any abstaining votes.
- (2) **Political Activism.** The Mattoon Arts Council shall use neither its monies nor its name in furtherance of, nor engage in, political activity in support of any candidate for public office or issue for referendum. This shall not be construed to limit the exercising of the constitutional rights of any individual director.
- (3) **Non-Discrimination.** The Mattoon Arts Council will not discriminate against people on the basis of race, color, sex, religion, income, national origin, age, disability, sexual orientation, political affiliation or any other legally protected characteristic in any of its policies, recommendations or actions.
- (4) **Endowment.** The Board of Directors shall have the power to accept gifts of money or securities from donors and to designate the gifts as an "Endowment Fund." The Mattoon Arts Council shall spend only the income from the interest generated by said endowment fund. The Board of Directors shall designate the institution for the deposit of funds.
- (5) **Amendments to By-laws:** These by-laws may be amended or revised by the Board of Directors at any time, with 30 days prior notice of the amendment and a 2/3 vote of the board quorum present at a regular meeting of the Mattoon Arts Council. By-laws then will go to the Mattoon City Council for approval.

Section 3. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 4. This ordinance shall be effective upon its approval as provided by law. The City Clerk is hereby directed to publish this Ordinance in pamphlet form.

Upon motion by Commissioner Hall, seconded by Commissioner Owen, adopted this 4th day of November 2014, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven
Commissioner Hall, Commissioner Owen,
Mayor Gover

NAYS (Names): None

ABSENT (Names): None

Approved this 4th day of November, 2014.

/s/ Tim Gover
Tim Gover, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ Janett S. Winter-Black
Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on November 4, 2014.

Mayor Gover opened the floor for comments/discussion which was followed with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Hall seconded by Commissioner Cox moved to adopt Resolution No. 2014-2922, authorizing an addendum to the mutual aid box alarm system (MABAS) agreement.

**CITY OF MATTOON, ILLINOIS
RESOLUTION: 2014-2922**

**A RESOLUTION AUTHORIZING AN ADDENDUM TO
MUTUAL AID BOX ALARM SYSTEM AGREEMENT**

WHEREAS, the Constitution of the State of Illinois, 1970, Article VII, Section 10, authorizes units of local government to contract or otherwise associate among themselves in any manner not prohibited by law or ordinance; and,

WHEREAS, the “Intergovernmental Cooperation Act”, 5 ILCS 220/1 et seq., provides that any power or powers, privileges or authority exercised or which may be exercised by a unit of local government may be exercised and enjoyed jointly with any other unit of local government; and,

WHEREAS, Section 5 of the “Intergovernmental Cooperation Act”, 5 ILCS 220/5, provides that any one or more public agencies may contract with any one or more public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract are authorized by law to perform, provided that such contract shall be authorized by the governing body of each party to the contract; and,

WHEREAS, the parties hereto are units of local government as defined by the Constitution of the State of Illinois, 1970, Article VII, Section 10, and the Intergovernmental Cooperation Act; and,

WHEREAS, the Mayor and the Council of the City of Mattoon have determined that it is in the best interests of this unit of local government and its residents to enter into an Addendum to the Mutual Aid Box Alarm System Agreement to secure to each the benefits of mutual aid in fire protection, firefighting, rescue, emergency medical services and other activities for the protection of life and property from an emergency or disaster and to provide for communications procedures, training, and other necessary functions to further the provision of said protection of life and property from an emergency or disaster.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. That the Mayor and the Clerk be and are hereby authorized and directed to execute an Addendum to the Mutual Aid box Alarm System Agreement, a copy of said Addendum being attached hereto and being made a part hereof.

Section 2. This resolution shall be in full force and effect from and after its adoption and approval as provided by law.

Upon motion by Commissioner Hall, seconded by Commissioner Cox, adopted this 4th day of November, 2014, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven,
 Commissioner Hall, Commissioner Owen,
 Mayor Gover

NAYS (Names): None

ABSENT (Names): None

Approved this 4th day of November, 2014.

/s/ Tim Gover
Tim Gover, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ Janett S. Winter-Black
Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on November 4, 2014.

Mayor Gover opened the floor for questions or comments. Chief Nichols explained the change allowing the City to receive reimbursement for fees by adopting the FEMA recovery policy.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Cox seconded by Commissioner Graven moved to adopt Special Ordinance No. 2014-1574, declaring personal property owned by the municipality surplus and authorizing the sale or disposal of the property.

CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE: 2014-1574

**A SPECIAL ORDINANCE DECLARING THE PERSONAL PROPERTY OWNED BY THE
MUNICIPALITY SURPLUS AND AUTHORIZING THE SALE OR DISPOSAL OF THE PROPERTY**

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. Supplies and equipment identified on Exhibit A to this ordinance are no longer necessary or useful to, or for the best interest of, the City of Mattoon, and are hereby declared surplus to the needs of the City of Mattoon.

Section 2. The City of Mattoon, Illinois does not express any warranty or imply any statement of condition of this surplus property. The Department Heads are hereby authorized to administratively sell by the most advantageous means and to negotiate the conditions for the sale, recycle, or otherwise dispose of the property without further formal consideration or approval by the City Council. The City of Mattoon shall reserve the right to accept or reject any and/or all offers for this property.

Section 3. The Mayor and City Clerk are authorized and directed to execute any documents necessary to affect the sale or disposal of the property.

Section 4. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 5. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Cox, seconded by Commissioner Graven, adopted this 4th day of November, 2014, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven,

Commissioner Hall, Commissioner Owen
Mayor Gover

NAYS (Names): None
ABSENT (Names): None

Approved this 4th day of November, 2014.

/s/ Tim Gover
Tim Gover, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ Janett S. Winter-Black
Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on November 4, 2014.

EXHIBIT A

One (1) white 2010 Ford Crown Victoria; VIN 2FABP7BV1AX138984, having approximate mileage of 86,400, in running condition.

ITEM	MANUFACTURER	MODEL #	ADDITIONAL INFO	QUANTITY
Chain saw	Stihl	023C	Non-operational	1
Chain saw	Stihl	024AV	"Wood Boss"; non-operational	2
Chain saw	ECHO	CS330T	Non-operational	1
Chain saw	Stihl	O25	Missing chain saw mechanism; Non-operational	1
Chain saw	Husqvarna	MS192T	Missing chain saw mechanism; non-operational	1
Chain saw	Husqvarna	335XPT	Missing chain saw mechanism; non-operational	1
2 -way radio	Midland	70-1336B	taken out of fleet truck; non-operational	5
2 -way radio	Motorola	D336	taken out of fleet truck; non-operational	1
2-way radio	Cobra	FAC62	set w/charger - hand held; non-operational	1
2-way radio	Kenwood	?	1 hand held radio w/ charger; non-operational	3
2-way radio	Motorola	HT90	2 hand held radio w/ charger; non-operational	1
Snow Plow Blade	Western		7'6"	1

Mayor Gover opened the floor for comments/questions which was followed with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Cox moved to approve Council Decision Request 2014-1554, authorizing the promotion of Sgt. David C. Vanderport to rank of Lieutenant effective November 5, 2014, due to the resignation of Ronald Bateman, Jr.

Mayor Gover opened the floor for comments/discussion. Chief Branson provided accolades for Sgt. Vanderport. Mayor Gover added Sgt. Vanderport was an excellent officer.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Cox moved to approve Council Decision Request 2014-1555, authorizing the promotion of Officer Jeremy W. Clark to rank of Sergeant effective November 5, 2014, due to the resignation of Ronald Bateman, Jr.

Mayor Gover opened the floor for comments/discussion. Chief Branson provided accolades for Officer Clark.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Graven seconded by Commissioner Owen moved to approve Council Decision Request 2014-1556, waiving the bidding requirement and approving the price quote from Vermeer Midwest in the amount of \$51,000.00 to replace the grinding drum and the cradle that supports the drum in the City's Tub Grinder.

Director Barber noted Vermeer had started with the insurance repairs, and provided an update on the work in progress.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Cox seconded by Commissioner Graven moved to adopt Special Ordinance No. 2014-1575, vacating a portion of Edgar Avenue east of South 21st Street. Midland States Bank Land Trust #1887 – Petitioner

**CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2014-1575**

AN ORDINANCE VACATING A PORTION OF EDGAR AVENUE

WHEREAS, Jackie Gray representing Midland States Bank Land Trust #1887, presented a Petition to the City Clerk to vacate a portion of Edgar Avenue east of South 21st Street legally described as follows:

The South ½ of 4th Street (now Edgar Avenue) adjacent to Lots 5, 6, and 7 of Block 154 of Noyes Addition to the City of Mattoon. Said property also described as Tracts I, II, III, and IV on the attached Plat of Vacation labeled Exhibit "A";

which Petition requests that said portion of Edgar Avenue be vacated by the City of Mattoon, Coles County, Illinois; and

WHEREAS, Midland States Bank Land Trust #1887 has agreed to compensate the City of Mattoon for said Vacation at the appraised market value of \$3,000.00; and

WHEREAS, a Public Hearing on said vacation was held before the Mattoon Planning Commission October 28,

2014; and,

WHEREAS, said Petition was recommended for approval by the Mattoon Planning Commission on October 28, 2014; and

WHEREAS, the City Council of the City of Mattoon, Coles County, Illinois, has determined, the public interest will be served by vacating said portion of Edgar Avenue so as to relieve the public from further burden and responsibility of maintaining the public right-of-way.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, A MUNICIPAL CORPORATION, as follows:

Section 1. That the portion of Edgar Avenue to be vacated is legally described as follows:

The South ½ of 4th Street (now Edgar Avenue) adjacent to Lots 5, 6, and 7 of Block 154 of Noyes Addition to the City of Mattoon. Said property also described as Tracts I, II, III, and IV on the attached Plat of Vacation labeled Exhibit "A"; and

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective immediately after Midland States Bank Land Trust #1887 has tendered to the City of Mattoon \$3,000.00, an amount equivalent to the appraised market value of the vacated premises.

Section 4. Midland States Bank Land Trust #1887, after having made the entire payment of \$3,000.00, shall be and is vested with title to the vacated portion of the above mentioned Edgar Avenue as legally described above.

Section 5. Upon becoming effective, the City Clerk shall make and record a duly certified copy of this ordinance with the Clerk and Recorder's Office of Coles County, Illinois.

Upon motion by Commissioner Cox, seconded by Commissioner Graven, adopted this 4th day of November, 2014, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven,
Commissioner Hall, Commissioner Owen,
Mayor Gover

NAYS (Names): None

ABSENT (Names): None

Approved this 4th day of November, 2014.

/s/ Timothy D. Gover
Timothy D. Gover, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ Janett S. Winter-Black
Janett S. Winter-Black, City Attorney

Effective Date: November 6, 2014

Recorded in the Municipality's Records on November 4, 2014.

Mayor Gover opened the floor for comments/discussion/questions which was followed with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Hall moved to approve Council Decision Request 2014-1557, approving the quote in the amount of \$41,019.00 from MorphoTrust USA and authorizing the purchase of a replacement digital fingerprint capture station for the Mattoon Police Department.

Chief Branson noted the current machine to be replaced was 13 years old; explained DUI funds would be used for payment and stated the recommendation of I.T. Director Johanpeter to use the same company for continuity. Commissioner Hall inquired if the equipment was used for background checks by the school district with Chief Branson answering by explaining the school district's involvement. Mayor Gover opened the floor for additional questions with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Graven moved to adopt Resolution No. 2014-2923, authorizing the Mayor to sign the Memorandum of Understanding between the City of Mattoon and Lake Land College, allowing for the placement of the name and logo of Lake Land College on the City's water standpipe located on Remington Road near Staples and Home Depot.

Mayor Gover opened the floor for comments or questions. Lake Land College President Dr. Josh Bullock stated the pride of Lake Land College located in Mattoon and of the opportunity to have the placement of Lake Land College's logo on the water tower. Mayor Gover stated appreciation of the location of Lake Land College in Mattoon. Commissioner Cox echoed the Mayor's comments.

Mayor Gover declared the motion carried by the following vote: Abstained Commissioner Cox (due to employment at LLC), YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Hall seconded by Commissioner Cox moved to approve Council Decision Request 2014-1558, ratifying the appointment of Justin Grady to the Tourism Advisory Committee for an unexpired term of 03-01-16.

Mayor Gover opened the floor for questions or comments which was followed with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

DEPARTMENT REPORTS:

CITY ADMINISTRATOR/ COMMUNITY DEVELOPMENT noted insurance renewal meetings, preparation of ordinances for consideration, many plans for development, and the inquiries on the Elm Ridge property. Administrator Gill accepted questions from the floor. Mayor Gover inquired as to the wall renovations. Administrator Gill stated work was to start this week with a large group for a two-week process, weather permitting.

CITY ATTORNEY had nothing to report. Mayor Gover opened the floor for questions with no response.

CITY CLERK noted preparation for insurance renewals; 589 voters in the Office; otherwise business as usual. Mayor Gover inquired as to the turnout of voters with Clerk O'Brien stating higher than usual. Mayor Gover opened the floor for additional questions with no response.

FINANCE noted receipt of the actuarial reports from the Fire and Police Pension Boards and large difference between statutory and recommended funding; website request from Chief Nichols; and audit presentation at next Council meeting. Mayor Gover opened the floor for questions with no response.

PUBLIC WORKS updated Council on the 24th Street project, Bartels' concrete work at Peterson Park with trees to be planted this fall; and Ameren's progress on removing aerial power lines. Mayor Gover opened the floor for questions with no response.

FIRE notified Council of the acceptance of an AED grant applied for by Asst. Chief Junge with funds to be reimbursed; and other training activities. Mayor Gover opened the floor for questions with no response.

POLICE noted Halloween activities went well with the exception of congestion at Briar Lane/Lane Acres; and business as usual. Mayor Gover opened the floor for questions with no response.

ARTS AND TOURISM noted a busy rest of the month with recitals at the Depot, celebration of 60's culture, Reverend Robert workshop, Mattoon Arts Sale, Veterans & Christmas parades, and Lightworks. Mayor Gover opened the floor for questions with no response.

COMMENTS BY THE COUNCIL

Commissioners Cox, Graven, Hall, and Owen had no further comments. Mayor Gover noted in the 100 Years Ago column of the newspaper there was an attempt to raise the Mayor's salary from \$600 to \$1,500, but was defeated, and noted the Mayor's salary had increased to \$9,000 per year over the years.

Commissioner Hall seconded by Commissioner Cox moved to adjourn at 7:00 p.m.

Mayor Gover declared the motion to adjourn carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, NAY Commissioner Owen, YEA Mayor Gover.

/s/ Susan J. O'Brien
City Clerk